

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 29

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LEN C. KRETCHMAN and DAVID GESKE

Appeal No. 2003-1754
Application No. 09/821,137

HEARD: December 10, 2003

Before KRATZ, JEFFREY T. SMITH and PAWLIKOWSKI, Administrative Patent Judges.

KRATZ, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the examiner's refusal to allow claims 45-54, which are all of the claims pending in this application.

BACKGROUND

Appellants' invention relates to a method of making a crustless sandwich comprising first and second cut bread portions that are formed by cutting through both bread slices. The cut

bread slices have outer perimeter areas that are sealed by compression. A central filling, which can comprise peanut butter and jelly, is applied so as to be disposed between the bread portions. The filling does not extend into the compressed sealed area. Spaced depressions of compacted/crimped bread can be formed in the sealed marginal area to furnish more sealing force and prevent separation of the cut bread portions at the outer perimeters. A further understanding of the invention can be derived from a reading of exemplary claims 45 and 46, which are reproduced below.

45. A method of creating a hermetically sealed crustless sandwich, said method comprising:

(a) providing a first slice of bread with an edge crust;

(b) applying a layer of peanut butter onto said first slice in an area inside said crust and defining a substance free outer periphery of said first slice;

(c) applying a layer of a fruit spread over said peanut butter layer leaving a perimeter of uncovered peanut butter;

(d) covering said layer of fruit spread by a second layer of peanut butter contacting said first layer of peanut butter to encapsulate said fruit spread;

(e) applying a second slice of bread over said first slice of bread with an edge crust matching said edge crust of said first slice;

(f) providing a cutter with a continuous cutting edge having a desired cut shape larger than said periphery;

(g) positively forcing said cutting edge through said slices in unison with said cut shape outside said area to cut two matching cut portions of bread with an outer periphery outside side area and a contour matching said cut shape and surrounding said area;

(h) compressing said bread completely around said outer periphery to seal said bread around said contour with said peanut butter and encapsulated first spread captured between said bread portions, wherein said compressing operation also crimps said substance free periphery at spaced pressure points to give space locations of greater sealing force at said outer periphery of said bread portions; and,

(i) placing said cut crustless sandwich into an airtight package for long term storage.

46. A method of creating a sealed crustless sandwich, said method comprising:

(a) placing a first slice of bread with a first perimeter surface surrounded by an edge crust on a support surface;

(b) applying a central filling of an edible food in an area inside said perimeter surface;

(c) applying a second slice of bread with an edge crust and second perimeter surface similar to said first perimeter surface over said first slice of bread with said perimeter surfaces facing each other;

(d) providing a cutter with a continuous cutting edge having a desired cut shape fitting inside said edge crusts of said bread slices and spaced outwardly from said area with said shape overlying said perimeter surfaces;

(e) positively forcing said cutter edge through said slices in unison and against said support surface, with said cut shape outside said area to thereby cut two matching portions of bread with an outer periphery outside said area of said central filling and a contour matching said cut shape and encircling said area; and,

(f) compressing said perimeter surfaces together, independently of said cutting of said bread portions, by an edge sealing member with a bottom pressure surface having a transverse width defining an outer edge matching said cut shape and an inner edge spaced outwardly of said area of said central filing whereby said perimeter surfaces are sealed together while leaving said two portions separately exposed around said periphery.

The prior art references of record relied upon by the examiner in rejecting the appealed claims are:

Kaiser, Pasta, Pies and Pastries, "Tart Recipes from around the World" , pp. 2, 7-9, 11, 30, 43, 48, 115 and 116, cover pages, an unnumbered page entitled "About the Author", two unnumbered pages illustrating devices, and a "Table of Contents" page (no publication date provided).¹

Shideler, "Ways to Make it Through the First Day of School," Wichita Eagle, Living Section, page 1c, Aug. 14, 1994.

Claims 45-54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaiser in view of Shideler.

We refer to the briefs and to the answer for a complete exposition of the opposing viewpoints expressed by appellants and the examiner concerning the issues before us on this appeal.

OPINION

Having carefully considered each of appellants' arguments and the evidence in support thereof as set forth in the brief and reply brief, appellants have not persuaded us of reversible error on the part of the examiner. Accordingly, we will affirm the examiner's rejection for substantially the reasons set forth by the examiner in the answer. We add the following for emphasis.

¹ Appellants do not dispute the examiner's finding that the excerpts from Kaiser, which were submitted by appellants, represent prior art to the here claimed invention. See page 3 of the examiner's answer and item No. 4 of Paper No. 6.

Appellants refer to two issues but maintain that all of the appealed claims are separately patentable (brief, pages 5 and 6). Consequently, we will consider the appealed claims separately to the extent that they have been separately argued as required by our regulations and practice. See 37 CFR § 1.192(c)(7) and (8) (2002). Also, see Ex parte Schier, 21 USPQ2d 1016, 1018 (Bd. Pat. App. & Int. 1991). We start with the claims grouped under appellants' Issue Two.

Claims 46, 47, 53 and 54

Kaiser² discloses, inter alia, a crustless sandwich and a method of making the sandwich using a device comprising a Tartmaster or Krimpkut sealer to cut and seal the bread. See Kaiser, especially at pages 1, 2, 7 and the unnumbered page of illustrated devices preceding the Table of Contents page, for example, the Tartmaster devices labeled H2001 and H2003. As found by the examiner (answer, page 4), Kaiser teaches or suggests via the captioned illustrations at page 7 that a filling is placed on a first slice of bread. The filling is shown and

² Our consideration of Kaiser is limited to the excerpts therefrom supplied by appellants. In the event of further prosecution of this subject matter before the examiner, appellants and the examiner may wish to consider whether the entire work of Kaiser should be made of record for consideration by the examiner.

described as being centrally located inside a perimeter of the first slice of bread in the illustration at the top left corner of page 7 of Kaiser. Moreover, that bread slice includes an edge crust. As evidenced by the illustrations and as would be understood by one of ordinary skill in the art, the slice of bread is located or placed on a supporting surface for adding the filling thereto. A second slice of bread is taught as being placed on the first slice with the central filling therebetween as illustrated at page 7 of Kaiser. The two slices of bread containing the filling is then cut and crimped using a Tartmaster device including a cutting edge that surrounds the filled area of the bread slices as shown on page 7 and as suggested by the 1/4 inch margin for sealing described on page 11 of Kaiser. The examiner has reasonably determined that Kaiser suggests to one of ordinary skill in the art that the outside cutting edge of the Tartmaster device would have been used to positively cut through the slices of bread, much like the well-known use of a cookie cutter, which the examiner takes official notice of at page 6 of the answer. Moreover the position of the hand, including the fingers, in the illustration at page 7 supports the examiner's reasonable determination that Kaiser suggests to one of ordinary skill in the art that the outside cutting edge of the device

would have been obviously used to cut through the slices of bread. Kaiser (page 2) teaches that the cut, crimp and seal operations can be performed simultaneously via pressing and twisting of the device. Kaiser (page 11) instructs that the Tartmaster is used to cut, crimp and seal at a location inside the bread crust. As is readily apparent from an inspection of the construction of the Tartmaster, the device would be readily pressed by positioning a user's hand or fingers above the outside cutting edge of the device.

The examiner has determined one of ordinary skill in the art would have recognized that the plunger of the device would be depressed simultaneously with or after pressing the outside edge as an option to activate the crimping and sealing element of the device to seal the perimeter of the crustless sandwich that is formed after the cutting.³ The examiner has also reasonably determined that the crustless sandwich making method conveyed by

³ As is readily apparent from an inspection of the construction of the Tartmaster, there are only a few ways to use the device. One of ordinary skill in the art would have recognized that pressing on the outside edge would have been an option that yields greater cutting force if the particular bread slices selected are difficult to cut. In such a case, pushing the plunger simultaneously with or after the cutting to seal and crimp the perimeter would have been readily recognized options by one of ordinary skill in the art seeking to optimize the cutting and sealing operations.

Kaiser, as outlined above and in the answer, would have left portions of each of the two cut bread slices exposed around the periphery thereof. This is readily apparent upon a review of the entirety of Kaiser, including the pastries and other pies illustrated on the cover pages according to the examiner (answer pages 5 and 6).

As for the spaced pressure points called for in claim 47, the examiner has reasonably determined that the inner crimping and sealing ring of the Tartmaster (for example, models H2001 and H2003) used by Kaiser would have resulted in spaced pressure points along the sealed perimeter area of crustless sandwiches being made as evident by the spaced depressions shown on the products illustrated on the cover pages and the sandwich illustrated on page 115. As for claims 53 and 54, Kaiser teaches that sandwiches can be wrapped and stored at page 43. Moreover, the examiner has fairly recognized (answer, page 5) that it would have been obvious at the time the invention was made for one of ordinary skill in the art to package the sandwiches made for storage thereof. In maintaining the rejection, the examiner has basically taken the position that providing an air tight packaging step (for storage) would have been suggested to one of ordinary skill in the art as an obvious technique for wrapping

the sandwich of Kaiser. In light of the above and for reasons set forth in the answer, the examiner has established a prima facie case of obviousness on this record.⁴

Appellants maintain that the examiner has not met the legal requirements for establishing the obviousness of the claimed subject matter as set forth at pages 11-16 of the brief. More specifically, at pages 27 and 28 of the brief and continuing in the reply brief, appellants argue that the following three features are not taught by the applied prior art: (1) "positive cutting," (2) "compressing the bread completely around the outer periphery to seal the bread, independently of the cutting of the bread portions (compressing the cut portions)" and (3) obtaining a result of "separately exposed" cut portions. A fourth feature "crimping the periphery at spaced areas of increased holding action" that is attributed to claim 47 by appellants is also argued as not being taught by the applied prior art.

Appellants assert that the Tartmaster cutting, sealing and crimping tool employed by Kaiser would not positively cut through two bread slices. Appellants rely on a second declaration of

⁴ We do not address the additional teachings of Shideler with respect to the examiner's rejection of claims 46, 47, 53 and 54 since Shideler is relied upon by the examiner for teaching features that are not required by this grouping of claims.

Leon Levine (attachment No. 5e) and a declaration of Malcolm Cooke (attachment No. 6a) in an apparent attempt to discredit the disclosure of Kaiser, particularly at item No. 2 of pages 30 and 31, wherein cutting and sealing multiple bread slices with the device is explicitly described. We do not find appellants' arguments and evidence persuasive.

The portion of the Levine declaration referred to by appellants is directed to tests performed with a device (Exhibit I), which is alleged to be like the CUT-N-Seal device sold by Pampered Chef. That latter device is alleged to correspond to the Tartmaster of Kaiser. According to Dr. Levine (numbered paragraph 6 of the second declaration), the CUT-N-Seal-like device was employed by placing two slices of bread under the unit and pressing down on a top plunger of the device. Dr. Levine (second declaration, numbered paragraph 6) reports that:

[e]ven with a high degree of pressure, the bread slices were not completely cut. However, the edge seal under the sealing ring was completely compressed so the bread was molded together in a homogenous mass, as shown in Exhibit K....

In numbered paragraphs 7 through 10 of that second declaration, Dr. Levine further describes the resulting product of the experiment as including an "amorphous homogenous mass" of

bread. Dr. Levine concludes that the sealed sandwich depicted in U.S. patent No. 6,004,596⁵ was not duplicated by the sandwich he made with the CUT-N-Seal-like device. Moreover, a sandwich having the brand name "Uncrustables" was obtained by Dr. Levine and found by him to have an edge seal that differed from that of his CUT-N-Seal-like device prepared sandwich.

The declaration of Mr. Cooke provides a report on experiments using a device described in U.S. Patent No. 2,765,755, which device is described as being like the Tartmaster device sold by the Pampered Chef. At numbered paragraph 4 of that declaration, Mr. Cooke declares that "[e]xperiments by me using the 'Tartmaster' show clearly that this only results in 'crimped' and partially cut pieces of bread."

⁵ The present application was filed as a continuation of application No. 09/404,701, now abandoned, which latter application was filed as a continuing (divisional) application of prior application No. 08/986,581. Grandparent application No. 08/986,581 was issued as U.S. Patent No. 6,004,596. That patent is currently undergoing reexamination (Control No. 90005948). Moreover, U.S. Patent No. 6,004,596 is involved in litigation (brief, page 27). Application No. 10/314,770 was filed as a continuation of the present application and related application No. 09/845,925 is on appeal (appeal No. 03-1775). Prior to final disposition of this application, the examiner should also address any questions of obviousness type double patenting between the claims of the related applications and patent.

However, those experiments were conducted without pushing down on the outer ring of the "Tartmaster", an action which Mr. Cooke concedes would result in the clean cutting of the bread (Cooke declaration, paragraph No. 6).

We agree with the examiner's criticisms of those declarations as set forth at pages 9 and 10 of the answer. Moreover, we note that the Cooke and Levine declarations merely refer to using a device like a Tartmaster in the experiments conducted, not the Tartmaster of the applied Kaiser reference, which teaches cutting and sealing bread slices to form sandwiches with the Tartmaster thereof. Nor do those declarations specify the type or thickness of the bread slices employed in the experiments conducted. In this regard, the appealed claims are open to any type and size of sliced bread that may be cut and sealed whereas the specific types of bread and fillings used in the brand name "Uncrustables" comparison was not even disclosed in the declarations. Moreover, Kaiser clearly illustrates that fingers and/or a thumb are placed on the outer cutting cylinder in using the device as illustrated in the figure at the top left corner of page 7. Also, see pages 9 and 30 of Kaiser. As explained by the examiner, one of ordinary skill in the art would have recognized that pushing on the outer cutting area was an

option during use of the device in a manner similar to the way a cookie cutter is known to be used.⁶ Indeed, the Cooke declaration (paragraph No. 6) acknowledges that such an operation would result in positively cutting the bread slices. As such, appellants have not discharged their burden of establishing that the Tartmaster of Kaiser would not cut and seal as described therein at pages 11, 30 and 43.

Appellants refer to a more recent Pampered Chef catalog and a new pamphlet sheet allegedly sold with the Cut-N-Seal (item 6, attachment D and item 7 of supporting appeal documents) as showing the placement of fingers on the cutting edge and as evidence that the applied earlier Kaiser disclosure could not

⁶ While appellants acknowledge the factual finding of the examiner concerning conventional cookie cutter operation (reply brief, (page 4), appellants have not furnished specific and convincing countervailing arguments denying the existence of such knowledge in the art and/or explaining why that knowledge would not have been recognized by one of ordinary skill in the art as being applicable to use of the Tartmaster in making sandwiches. On this record, we shall accept the examiner's particularized factual determinations set forth in the answer concerning the known operation of cookie cutting devices. See In re Fox, 471 F.2d 1405, 1407, 176 USPQ 340, 341 (CCPA 1973); In re Boon, 439 F.2d 724, 727-28, 169 USPQ 231, 234 (CCPA 1971); In re Ahlert, 424 F.2d 1088, 1091-92, 165 USPQ 418, 420-21 (CCPA 1970). From our perspective, one of ordinary skill in the art would have recognized that pushing on the outer ring of the Tartmaster of Kaiser for cutting the bread was an available option.

suggest such a new operation.⁷ We disagree for the reasons stated above and in the answer.

From the above discussion, it follows that we do not agree with appellants parallel assertions concerning the argued "compressing the bread completely around the outer periphery independently of the cutting of the bread portions (compressing the cut portions)" and the obtaining of a result of "separately exposed" cut portions as being distinguishing features.⁸ Kaiser describes or suggests sealing the bread slices via the use of the inner crimping ring of the Tartmaster. See, e.g., the products on the cover pages that depict sealed edges, the Tartmaster H2001 and H2003, and pages 11, 30 and 43 of Kaiser. Clearly, the

⁷ We note that appellants' assertion of that two step procedure as being developed after Smucker's marketing of the "Uncrustables" sandwich appears to be undercut by the discussion of such a two step procedure set forth in the Pampered Chef Recipe and Instruction Book (1996 copyright) pages submitted with an earlier prior art statement (copy attached was obtained from parent application No. 09/404,701). See the fourth item on the third page of the List of Prior Art Cited by Applicant dated May 31, 2001.

⁸ We observe that claim 46 does not require that the compressing step occur after the cutting step, only independently thereof. Indeed, at page 6 of appellants' specification, the sleeve 42 is described as being simultaneously descended with the cutting cylinder (40). See appellants' drawing figures 1, 2 and 5. Consequently, the suggestion at page 7 of the reply brief that appellants' claims require compressing after cutting are not persuasive.

product sandwiches of Kaiser that are made with two slices of bread have both bread portions exposed at the periphery.

As for the spaced pressure points of claim 47 and 53, we agree with the examiner that use of the Tartmaster inner sealing and crimping element (ring) will result in spaced pressure points or depression as claimed as fairly represented by the products depicted on the cover page of Kaiser. Concerning appellants' reference to the packing step of claims 53 and 54 at page 35 of the brief, the mere reference to that limitation recited in those claims does not serve as a separate argument for the patentability of those dependent claims. See 37 CFR § 1.192(c)(7)(2002); and In re McDaniel, 293 F.3d 1379, 1383, 63 USPQ2d 1462, 1465 (Fed. Cir. 2002).

To be of probative value, any secondary evidence must be related to the claimed invention (i.e., a nexus is required). Thus, the weight attached to evidence of secondary considerations will depend upon its relevance to the issue of obviousness and the amount and nature of the evidence. To be given weight in the determination of obviousness or nonobviousness, evidence of secondary considerations must be relevant to the subject matter as claimed, and therefore we must determine whether there is a nexus between the merits of the claimed invention and the

evidence of secondary considerations. See Ashland Oil, Inc. v. Delta Resins & Refractories, Inc., 776 F.2d 281, 305 n.42, 227 USPQ 657, 673-674 n. 42 (Fed. Cir. 1985). The term "nexus" designates a factually and legally sufficient connection between the objective evidence of nonobviousness and the claimed invention so that the evidence is of probative value in the determination of nonobviousness. See Demaco Corp. v. F. Von Langsdorff Licensing Ltd., 851 F.2d 1387, 7 USPQ2d 1222 (Fed. Cir., 1988).

Here, appellants have not established a nexus between the claimed invention and the evidence of commercial success (Oakland declarations, Purcell declaration) or the Godfrey declaration, which latter declaration is directed to comparing U.S. Patent No. 4,608,918 with appellants' patent No. 6,004,596. The commercial success evidence is directed to the sales of prepackaged (presumably frozen) crustless peanut butter and jelly sandwiches of a particular type. None of appealed claims 46, 47, 53 and 54 are limited to a peanut butter and jelly sandwich.

Claims 45 and 48-52

Concerning this grouping of claims, we refer to our findings above concerning the teachings of Kaiser including the cut, seal and crimp steps taught and suggested thereby, as well as our

rebuttal of appellants' arguments and evidence concerning such steps. We note that claim 50⁹ depends from claim 46.

Independent claim 46 was found unpatentable for reasons discussed above. Claim 50 additionally requires:

wherein said central filling includes a layer of jelly with a given shape, a first layer of peanut butter below said jelly layer and larger than said given shape to include a surrounding first exposed surface of peanut butter and a second layer of peanut butter above said jelly layer and larger than said given shape to include a surrounding second exposed surface of peanut butter with said peanut butter exposed surfaces sealed together to encapsulate said jelly layer by said peanut butter layers.

Appellants (brief, page 19) further maintain that the applied prior art does not teach or suggest (1) "applying a layer of peanut butter," (2) "applying a layer of fruit spread over the peanut butter leaving a perimeter of uncovered peanut butter,"

⁹ We consider claim 50 to be a representative claim for this grouping of claims. Concerning appellants' reference to the features of the other claims of this group at pages 33 and 34 of the brief, we do not consider the references to some of the limitations recited in those claims as a separate argument for the patentability of those dependent claims. See 37 CFR § 1.192(c)(7)(2002); and In re McDaniel, 293 F.3d 1379, 1383, 63 USPQ2d 1462, 1465 (Fed. Cir. 2002). To the extent those claims could have been considered as having been separately argued elsewhere in the briefs, we do not find those arguments persuasive for reasons set forth in this decision in discussing the teachings of the applied references and the reasonable inferences that one of ordinary skilled in the art would draw therefrom and for the reasons expressed in the examiner's answer.

and (3) "covering said layer of fruit spread by a second layer of peanut butter 'contacting said first layer of peanut butter to encapsulate said fruit spread'." We disagree.

Kaiser (page 11) teaches that the sandwich filling can be selected from a relatively small list of ingredients that includes peanut butter and jelly or jam as separately listed ingredients. Kaiser teaches that a combination of the listed ingredients may be used. Kaiser (page 11) also teaches that "[w]hen using a moist filling, spread the bread with butter, margarine or mayonnaise to prevent the bread from getting soggy." Correspondingly, Shideler teaches that "if you put peanut butter on both slices of bread, the jelly in the middle won't make the bread soggy."

Based on the combined teachings of Kaiser and Shideler, the examiner (answer, page 5) has reasonably determined that it would have been obvious for one of ordinary skill in the art at the time of the invention to apply peanut butter on the bottom slice of bread in Kaiser as a filling ingredient, add jelly (fruit spread) on top of that peanut butter and apply another layer of peanut butter on the top of the jelly (next to the top slice of bread) so as to prevent the bread from getting soggy. Since one purpose of the two peanut butter layers in making the sandwich is

to protect the bread from contact with the jelly, the examiner has fairly determined that one of ordinary skill in the art at the time of the invention would have drawn the reasonable inference from the teachings of the applied references that the peanut butter should be applied in a manner so as to encapsulate the jelly, that is, the jelly layer would be made smaller in area so that it does not contact the bread. We again observe that Kaiser (page 11) suggests that a 1/4 inch margin free of filling should be maintained "for a secure seal."

For reasons as set forth in the answer and above, we do not find appellants' arguments concerning a lack of motivation or suggestion for the examiner's proposed combination of references to be persuasive. Similarly, we do not agree with appellants' assessment of the teachings of Kaiser with respect to forming a sealed crestless sandwich for the reasons set forth above and in the answer. We emphasize that Kaiser describes cutting bread slices with the Tartmaster. To the extent appellants' arguments and evidence suggest otherwise if only the plunger is pressed for certain bread slices, that argument and evidence merely reinforces the examiner's viewpoint that one of ordinary skill in the art would have recognized that (direct) force on the outer cutting cylinder of the Tartmaster should be applied by hand for

such bread slices, leaving the crimping and sealing via the plunger as a second independent step.

Appellants have the burden of showing that any evidence of commercial success presented is a direct result of the unique characteristics of the claimed subject matter. See In re Huang, 100 F.3d 135, 140, 40 USPQ2d 1685, 1689 (Fed. Cir. 1996). While claims 45 and 48-52 are drawn to a peanut butter and jelly (fruit) sandwich making method, appellants have not established such a nexus between the claimed invention and the evidence of commercial success (Oakland declarations, Purcell declaration). Moreover, we agree with the examiner's criticism of the commercial success evidence as set forth in the answer. Also, the effect of the particular bread recipe employed and the amounts and specific types of peanut butter and jelly for the sandwiches to which the sales figures and other evidence relate have not been established on this record. Nor have appellants furnished any sales figures for competing products. As such, it is not clear from the submitted evidence if the sales are due to any potential merit of the present invention or if they are the result of other factors. On this record, we do not find appellants' evidence persuasive.

Concerning the litigation with respect to the patent issued from the grand parent application, we do not find that the mere existence or the filing of a civil action represents persuasive evidence of copying as asserted by appellants (reply brief, page 8).

In view of the foregoing and for reasons as set forth in the answer, we are satisfied that when all the evidence and arguments before us are considered, the evidence of nonobviousness fails to outweigh the evidence of obviousness. Accordingly, we will sustain the examiner's rejection.

CONCLUSION

The decision of the examiner to reject claims 45-54 under 35 U.S.C. § 103(a) as being unpatentable over Kaiser in view of Shideler is affirmed.

No time period for taking any subsequent action in
connection with this appeal may be extended under 37 CFR
§ 1.136(a).

AFFIRMED

PETER F. KRATZ)	
Administrative Patent Judge)	
)	
)	
)	
)	BOARD OF PATENT
JEFFREY T. SMITH)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
)	
)	
)	
BEVERLY A. PAWLIKOWSKI)	
Administrative Patent Judge)	

Appeal No. 2003-1754
Application No. 09/821,137

Page 23

FAY, SHARPE, FAGAN, MINNICH
& MCKEE, LLP
1100 SUPERIOR AVENUE
SEVENTH FLOOR
CLEVELAND, OH 44114-2518